

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER No. 83-20

ORDER RESCINDING CEASE AND DESIST ORDER NO. 82-30, ISSUED TO THE NOVATO MOTEL AND DAVID AND CLARENCE LEVERONI, MARIN COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Board) finds that:

1. On September 16, 1981, the Board adopted Order No. 81-51, Waste Discharge Requirements for Wayne and Sherry Kung, Frank H. and Grace C. Wong, Heng-Teng Chiang, Heng-Chih Chiang, Heng-Ta Chiang, and Ju-Chin Chang, dba Novato Motel, Novato, Marin County. This Order prohibited the bypass or overflows of wastewater to waters of the State, required the maintenance of two feet minimum freeboard in waste storage ponds, and required protection from erosion and washout from a flood having a predicted frequency of once in 100 years.
2. Numerous violations of Regional Board Order No. 81-51 occurred early in the 1981-1982 rainy season. These violations resulted and threatened to further result in discharges of waste to waters of the State.
3. On December 17, 1981, Cleanup and Abatement Order No. 81-007 was issued to the Novato Motel and Clarence and David Leveroni requiring compliance with waste discharge requirements, the submittal of a wastewater facilities upgrading plan, and a time schedule for the implementation of that plan.
4. On December 29, 1981, the Novato Motel submitted an outline of interim corrective measures for the wastewater ponds. On March 30, 1982, the Novato Motel submitted an acceptable plan and time schedule for the upgrading of the pond system, and on April 28, 1982, the interim corrective measures for the ponds were completed.
5. On June 16, 1982, the Board adopted Order No. 82-29, prescribing revised waste discharge requirements, and Order No. 82-30, a cease and desist order containing a time schedule for construction of permanent wastewater treatment and disposal facilities for the Novato Motel to comply with the revised requirements.
6. Facilities necessary for compliance with waste discharge requirements were constructed and operational by November, 1982 in compliance with the time schedule contained in the cease and desist order. The discharger complied with requirements during the 1982-83 wet weather season.
7. This action is an order to enforce waste discharge requirements adopted by the Board. This action is therefore exempt from CEQA pursuant to Section 15121 of the Resources Agency Guidelines.

8. On June 23, 1983, at a meeting starting at 9:30 a.m. in the Assembly Room, Contra Costa Water District, 1331 Concord Avenue, Concord, after due notice to the dischargers and all other interested persons, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

IT IS HEREBY ORDERED THAT:

This Regional Board's Order No. 82-30 is rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on June 23, 1983.

FRED H. DIERKER
Executive Officer

July 1, 1983

Dated